

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

UNITED STATES OF AMERICA,)
Plaintiff,)
)
v.) Cr. No.:2:20-CR-138-WKW-SRW
)
JESSE LEMAR McCORMICK,)
Defendant.)

MOTION FOR APPOINTMENT OF CJA DEFENSE COUNSEL

COMES NOW, William R. Blanchard, attorney of record for the Defendant, and shows as follows:

1. The undersigned was initially retained to represent the Defendant on state criminal charges on April 14, 2020.
2. A retainer fee of \$5,000.00 for the state cases was paid for the Defendant by his parents.
3. The state charges were later picked up by federal investigators, resulting in the federal indictment that the Defendant faces at this time.
4. The undersigned agreed to remain on as retained defense counsel for the federal case, conditioned upon payment of an additional fee. The Defendant's parents could not pay, but advised that the Defendant was the sole owner of an unencumbered home on Lake Jordan worth approximately \$200,000.00, which he was willing to sell in order to acquire funds which could be used for his defense. The Defendant was incarcerated in

the Autauga Metro Jail, but gave his parents power of attorney to list the property and handle the sale.

5. Before a buyer was found, the United States filed a civil action for forfeiture of the Defendant's lake house, and filed a *lis pendens*.

6. The real estate agent working with the Defendant's parents located a buyer for the property, and the United States agreed that the sale could be closed at the price offered, on condition that the sale proceeds be held in trust pending resolution of the forfeiture issue. The Government was aware that the undersigned would file a motion for release of a portion of the sale proceeds in order to fund the defense of the criminal case.

7. The closing was scheduled to occur on November 6, 2020, but the buyer got cold feet and backed out three (3) days prior to closing.

8. No further offers to purchase the property have been received.

9. Accordingly, a source of funding for the defense which was reasonably expected to materialize has not come to fruition. The initial retainer deposit has been exhausted through work done on the state charges prior to the federal indictment, and work done on the federal civil forfeiture case. The undersigned is currently working without any guarantee of payment for services, and no source of funding for expenses.

10. The Defendant is 22 years of age, and has been incarcerated since his arrest on the state charges on April 9, 2020. He has no income, and the aforementioned lake house is his only substantial asset. Due to his

inability to sell or mortgage his house, to say nothing of the Government's pending forfeiture claim, it appears that the Defendant would be eligible for appointment of defense counsel pursuant to the Criminal Justice Act (CJA).

11. The undersigned is a currently qualified member in good standing of the CJA panel in this District, and would accept an appointment to represent the Defendant, provided that if the Defendant's real estate is sold and generates funds which are allowed to be used to pay the costs of the defense, the undersigned would not seek to be compensated with CJA funds.

WHEREFORE, the premises considered, undersigned counsel for the Defendant moves for an Order appointing him as CJA defense counsel for Mr. McCormick.

RESPECTFULLY submitted this the 7th day of December, 2020.

/s/ William R. Blanchard
WILLIAM R. BLANCHARD(BLA029)
Attorney for the Defendant

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CERTIFICATE OF SERVICE

I hereby certify that on December 7th 2020, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following: AUSA Mary Lou Bowdrey and I hereby certify that I have mailed by United States Postal Service the document to the following non-CM/ECF participants: n/a.

Respectfully submitted,

/s/ William R. Blanchard
William R. Blanchard

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